

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

|                         |   |                              |
|-------------------------|---|------------------------------|
| ORLIN C. HAWKINBERRY,   | ) | CASE NO. 5:10 CV 1930        |
|                         | ) |                              |
| Plaintiff,              | ) | JUDGE JOHN R. ADAMS          |
|                         | ) |                              |
| -vs-                    | ) |                              |
|                         | ) | <u>MEMORANDUM OF OPINION</u> |
| COMMISSIONER OF SOCIAL, | ) | <u>AND ORDER</u>             |
| SECURITY                | ) |                              |
|                         | ) |                              |
| Defendant.              | ) |                              |

The Social Security Administration terminated Plaintiff's supplemental security income benefits in the above-captioned case. Plaintiff sought judicial review of the Commissioner's decision, and this Court referred the case to Magistrate Judge James R. Knepp, II for preparation of a report and recommendation pursuant to 28 U.S.C. § 636 and Local Rules 72.2(b)(1). The Magistrate Judge submitted a report and recommendation (Doc. 18) recommending that the Court REVERSE the Commissioner's decision and REMAND the matter for a new hearing.

Fed. R. Civ. P. 72(b)(2) provides that the parties may object to a report and recommendation within fourteen (14) days after service. No objections have been filed within the 14-day period. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. *Thomas v. Arn*, 728 F.2d 813 (6th Cir. 1984); *Howard v. Sec'y of Health and Human Servs.*, 932 F.2d 505 (6th Cir. 1991); *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981).

Accordingly, the report and recommendation of the Magistrate Judge is hereby adopted. The Commissioner's decision is REVERSED and REMANDED for a new hearing. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

Dated: June 28, 2011

/s/ John R. Adams  
UNITED STATES DISTRICT JUDGE